LIBRARY
SUPREME COURT. U. S.

Office-Supreme Court, U.S.
FILED
AUG 20 1958
JAMES R. BROWNING, Clerk

No. 19

In the Supreme Court of the United States

OCTOBER TERM, 1958

INTERSTATE COMMERCE COMMISSION, APPELLANT

v.

FRISCO TRANSPORTATION COMPANY

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI

MEMORANDUM FOR THE UNITED STATES

J. LEE RANKIN,
Solicitor General,
Department of Justice, Washington 25, D. C.

In the Supreme Court of the United States

OCTOBER TERM, 1958

No. 19

INTERSTATE COMMERCE COMMISSION, APPELLANT,

v.

FRISCO TRANSPORTATION COMPANY

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI

MEMORANDUM FOR THE UNITED STATES

This appeal is from a judgment of a three-judge district court which set aside certain orders of the Interstate Commerce Commission. While the United States did not appeal from that judgment, the basis for its failure to appeal was not that it believed the district court's decision correct. The United States concurs in and adopts the grounds for reversal of the district court's judgment set forth in the brief filed by the Interstate Commerce Commission.

Respectfully submitted.

J. LEE RANKIN,
Solicitor General.

AUGUST 1958.

476892—58

U. S. GOVERNMENT PRINTING OFFICE 1958